



U.S. Department of Justice

Criminal Division

Fraud Section

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VIA ECF AND HAND DELIVERY

Chambers of the Honorable Colleen McMahon
U.S. District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Re: United States v. Connolly, 16-CR-370

Dear Chief Judge McMahon:

Per the Court's order of July 12, 2007 (ECF No. 97), the government submits a proposed *Curcio* hearing, which was prepared with input from Mr. Connolly's lawyers. *See* Attachment A. As the Court will observe, there are questions in the script about his right to consult with a conflict-free lawyer. Defense counsel informed the government that "Mr. Connolly has been fully advised regarding his right/opportunity to consult with outside counsel" and the government limited its questions accordingly. In the event that he exercises that right, the government respectfully requests the Court ask questions – similar to those relating to the adequacy of his consultation with his Paul Hastings lawyers – about the adequacy of his consultation with conflict-free counsel.

Also attached to this letter, for the Court's convenience, is a copy of a previously filed consent letter from Morgan Stanley, which is referenced in the government's proposed script. *See* Attachment B.

Respectfully submitted,

SANDRA MOSER
Acting Chief, Fraud Section
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